

Atty Dkt. No.: CORA-011
USSN: 09/648,282

REMARKS

In view of the above amendments and the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-2, 4, 6-7, 9 and 11-50, the only claims pending and currently under examination in this application.

In the above amendments, the claims have been amended to limit the nature of the dissolution solution to one that is chosen from an organic matter dissolution fluid and an inorganic matter dissolution fluid, support for this amendment being found in the previously pending claims 23 and 32. In addition, the limitations of Claims 11, 20 and 30 have been incorporated into all of the claims. As the above amendments introduce no new matter to the application, the Examiner is respectfully requested to enter these amendments.

An objection has been raised to the specification pursuant to the previously submitted admendments introducing the phrase "vascular lesion" to the claims. While the term "vascular lesion" is fully supported by the specification, since the previously cited supportive section discusses target lesion dissolution fluids, where the target lesion is discussed elsewhere as a vascular lesion, the claims have been amended to remove this phrase. In view of the above amendments, this objection may be withdrawn. However, it must be noted that this amendment has been made solely in an effort to expedite prosecution of the present claims to allowance, and should in no way be construed as an agreement by the Applicant with the Examiner's position.

Claims 1-4, 6-7, 9 and 11-50 have next been rejected under 35 U.S.C. § 112, 1st ¶. In view of the above amendments to the claims, this rejection may be withdrawn.

Claims 1-4, 6-7, 9, 15-19, 21-29, 31-36, 42-45 and 50 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Delaney. As the limitations of claims 11 and

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20 have been incorporated into all of the claims, this rejection may be withdrawn, since Claims 11 and 20 were not included in this rejection.

Next, Claims 21 and 46 have been rejected under 35 U.S.C. § 103(a) as being anticipated by Emig. Following the above amendments, the claims are limited to ones in which the dissolution fluid is an organic matter or inorganic matter dissolution fluid. Emig fails to teach or suggest either type of the specified dissolution fluids. As such, Emig does not anticipate these claims and this rejection may be withdrawn.

Next, Claims 1 -10, 12-19, 42-45, 47 and 50 were rejected under 35 U.S.C. §103(a) as obvious over Emig in view of Mische, for the asserted reason that Emig teaches all of the elements of the claims but for the multi-lumen catheter, which element is assertedly made up by Mische. However, as pointed out above, Emig fails to teach or suggest the specifically enumerated dissolution fluids. As Mische is cited solely for the element of the multi-lumen catheter, Mische fails to make up this fundamental deficiency in Emig. Accordingly, Claims 1 -10, 12-19, 42-45, 47 and 50 are not obvious under 35 U.S.C. §103(a) over Emig in view of Mische and this rejection may be withdrawn.

Finally, Claims 11, 20, 22, 30-41 and 48-40 were rejected under 35 U.S.C. §103(a) as obvious over Emig in view of Mische, and further in view of Frey, for the asserted reason that Emig and Mische teach all of the elements of the claims but for the cartridge, which element is assertedly made up by Frey. However, as pointed out above, Emig fails to teach or suggest the specifically enumerated dissolution fluids. As Mische is cited solely for the element of the multi-lumen catheter and Frey for the cartridge, Mische and Frey fail to make up this fundamental deficiency in Emig. Accordingly, Claims 11, 20, 22, 30-41 and 48-40 are not obvious under 35 U.S.C. §103(a) over Emig in view of Mische and Frey and this rejection may be withdrawn.

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Conclusion

In view of the above amendments and remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,

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Date: 8/13/03

By: _____

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